

*JKW*

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: November 29, 2005 Name: Carolyn Beason-Wright Signature: *Carolyn Beason-Wright*

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Darin G. Schaeffer, et al.

Appln. No.: 10/769,962

Filed: February 2, 2004

For: TRACHEOSTOMY TUBE AND LOADING  
DILATOR

Attorney Docket No: 10703/042 (PA-5375-US)

Examiner: Ali, Shumaya B.

Art Unit: 3743

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES REQUIREMENT  
☒ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or surcharge in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.16(e).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

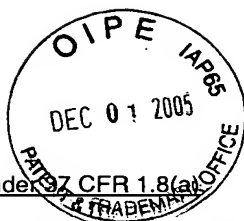
**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ to cover the above-identified fee(s) is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Nov. 29, 2005  
Date

*Lawrence A. Steward*  
Lawrence A. Steward (Reg. No. 32,309)



Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 29, 2005.

Carolyn Beason-Wright  
Carolyn Beason-Wright

Our Case No.: 10703/042

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LOADING DILATOR

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Group Art Unit No.: 3743

**RESPONSE TO RESTRICTION REQUIREMENT AND  
ELECTION OF SPECIES REQUIREMENT**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed October 31, 2005, please amend the above-identified application as follows:

**Amendments to the claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.